

Submission on the Proposed Waimakariri District Plan – Variation 1

Williams Waimak Limited

12 Williams Street, Kaiapoi



09 September 2022

Resource Management Act 1991

Waimakariri District Council

Submission on the Proposed Waimakariri District Plan

Submitter Details

Name: Williams Waimak Limited

Submitter address: 12 Williams Street, Kaiapoi

Agent Contact Details

Contact name: Max Stevenson

Contact organisation: Inovo Projects Ltd

Contact address: 93 Manchester Street, Christchurch Central City, Christchurch 8011

Email address: max@inovo.nz

Phone Number: 022 533 6606

Trade Competition Declaration:

Williams Waimak Limited (herein known as the Submitter), does not have the ability to gain trade competition advantage through this submission.

Hearing Options:

The submitter, wishes to be heard in support of their submission.

Submission details:

The submitter, **opposes in part** the Proposed District Plan (PDP), in particular, the site, being zoned:

- General Industrial Zone (GIZ)

Site and Surrounding Area

The Submitters site is legally described as Lot 1 DP 345997 and Lot 3 DP 40787 and has a total area of approximately 6.877ha (contained in Register of Titles 188573 and CB18F/1455 – **Appendix A**). The site is located within the south-eastern edge of the Kaiapoi Township. The application site is bounded to the north by Courtenay Drive, Business Zoned land (Bus2) and Residential Housing (Res2), to the west by Residential Housing (Res2) and Williams Street, to the south by Residential Housing (Res2) and to the east by a railway line and further Business Zoned land (Bus2). The topography of the site generally comprises of flat land. **Figure 1** below shows the approximate location of the site.



Figure 1: Location of the site – highlighted in yellow

The Site is currently occupied by Blue Skies Group Accommodation & Outdoor Activities events complex.

The surrounding environment comprises business/industrial land to the north and east, with low residential and medium density developments along all other immediate boundaries.

Submitter – Background

The Submitter purchased the site in approximately 2019, with the intention of developing for residential purposes and to create a high amenity environment.

Proposal

The Submitter 'Williams Waimak Limited' seeks to remove the proposed zoning of the PDP Planning Map for Kaiapoi from General Industrial Zone (GIZ) to Medium Density Residential Zone (MRZ) so that it is generally consistent with the surrounding proposed MRZ environment. The PDP rule frameworks including the objectives and policies for the proposed MRZ will not be altered as part of the requested zone change.

Planning Framework

Operative Plan District Plan

The Site is currently partially zoned Business 2 (Bus2) for the northern portion of the application site and Residential 2 (Res2) for the southern portion of the site as detailed in the Operative District Plan (refer to Figure 2 below).

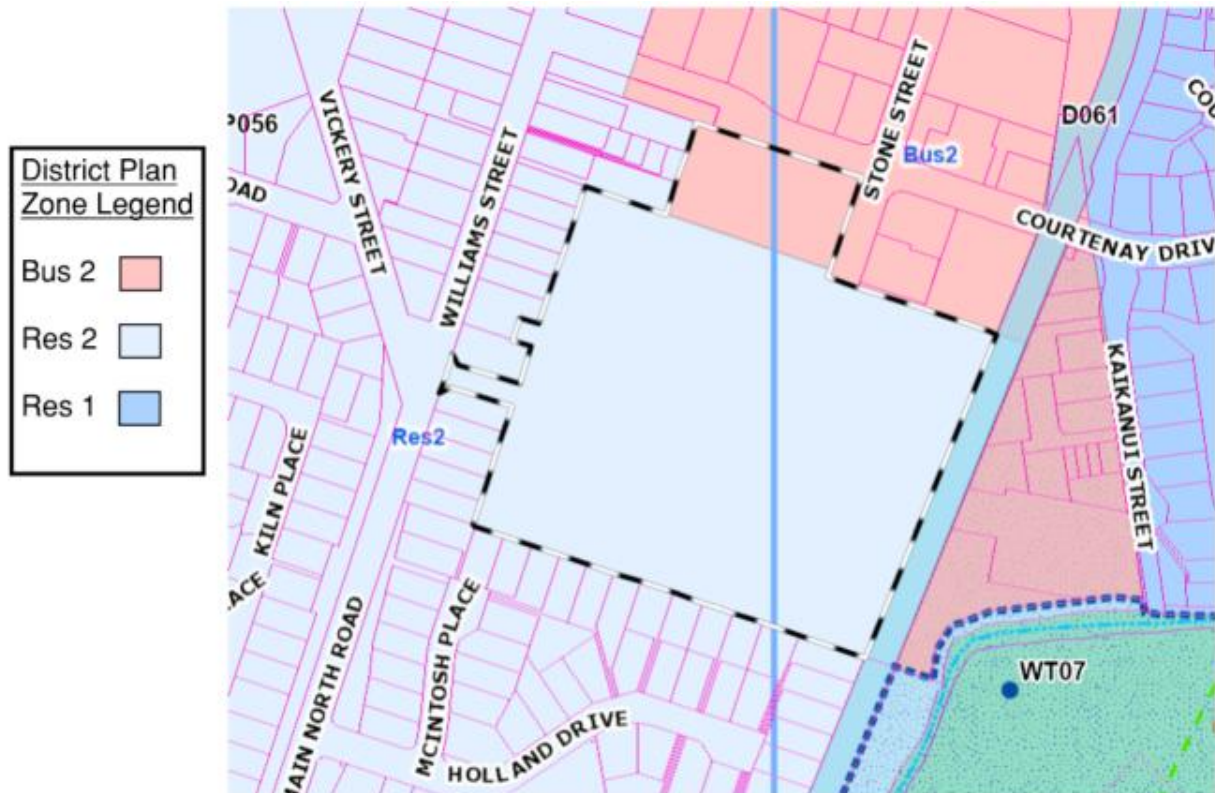


Figure 2: Operative Plan zoning (bordered in dashed black and white)

In accordance with the Res2 rules of the Operative District Plan, an allotment size of 600m² sections created by means of subdivision consent is considered a controlled activity, subject to the relevant subdivision use rules. One dwelling per 600 m² is a permitted activity subject to the relevant land use rules.

In accordance with the Bus2 rules of the Operative District Plan, an allotment size of 700m² sections created by means of subdivision consent is considered a controlled activity, subject to the relevant subdivision use rules. One dwelling per 700 m² is a permitted activity subject to the relevant land use rules.

Proposed District Plan (PDP)

The Site is proposed to be partially zoned Medium Density Residential Zone (MRZ) – Variation 1 and General Industrial Zone (GIZ) in the Proposed District Plan (refer to Figure 3 below). The site shall also be subject to the Qualifying Matter – Airport Noise.

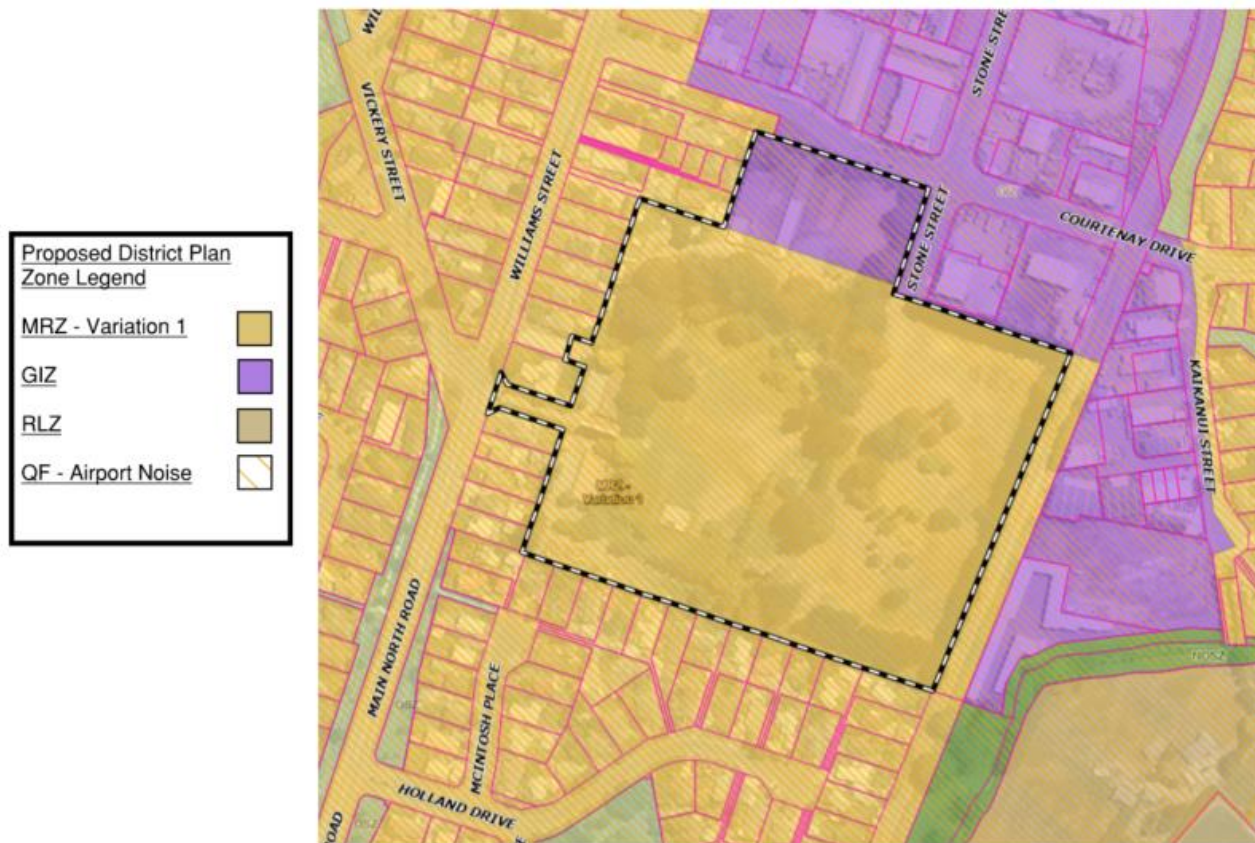


Figure 3: Proposed District Plan Zoning (bordered in dashed black and white)

In accordance with the relevant rules of the PDP the establishment of a residential dwelling within the MRZ-Variation 1 is a Permitted activity subject to relevant bulk and location rules. As the site is located in the Qualifying Matter for Airport Noise, an allotment size of 200m² sections created by means of subdivision consent is considered a controlled activity, subject to adherence of the relevant subdivision rules. When non-compliance with the former is not achieved the proposal becomes a Non-Complying Activity.

Three dwellings per site are a permitted activity subject to the relevant land use rules under MRZ-Variation 1. However, only one dwelling is permitted when subject to the Qualifying Matter for Airport Noise. Multi-Unit Residential Development under Rule MRZ-R2 shall be considered a Permitted Activity subject to compliance with the sub-rules, if non-compliant the activity is considered a Restricted Discretionary Activity.

The proposed District Plan MRZ Objective MRZ-01 states the following:

'MRZ-01 – Housing types and sizes

The Medium Density Residential Zone provides for a variety of housing types and sizes that respond to:

- i. housing needs and demand; and*
- ii. the neighbourhood's planned urban built character, including 3-storey buildings.'*

It is anticipated that any 'multi-unit residential development' on sites smaller than 200m² in the Medium Density Residential Zone and Qualifying Matter for Airport Noise could be considered as being inconsistent with MRZ-01.

Relief Sought:

Williams Waimak Limited seeks to:

1. Amend the zoning of the PDP Planning Map for Kaiapoi from Medium Density Residential Zone (MRZ) – Variation 1 and General Industrial Zone (GIZ) to Medium Density Residential Zone (MRZ) – Variation 1.



Figure 4: Submitters Proposed District Plan Zoning (bordered in dashed black and white)

Reasons for Relief Sought:

1. The submission is consistent with the Resource Management Act (RMA), including Part 2. In particular, the rezoning of the Site from MRZ-Variation 1 and GIZ to MRZ-Variation 1 is a more cohesive and efficient use of the land resource for this largely vacant land rather than retrospectively intensifying land which has already been developed with lower density residential stock (that is infill development).
2. The rezoning of the northern portion of the Site from GIZ to MRZ-Variation 1 will create a more cohesive residential environment, tying the Site in with the surrounding residential environment. Courtenay drive and Stone Street will provide a natural buffer between the surrounding General Industrial Zone and the surrounding residential environment (MRZ). The applicants proposed change to the zoning will be more beneficial for the owners and occupiers of the adjoining MRZ-Variation 1 sites to the west of the Site as they won't be directly adjacent to Industrial activities that are proposed for the northern portion of the site under Councils proposed GIZ zoning. Thus, reducing the likelihood of reverse sensitivity effects associated with Industrial activities such as noise, vibration, odour impacts on residential units.
3. It is also noted that the boundary line of the proposed GIZ goes through the buildings at the northern portion of the Site. The proposed change from GIZ to MRZ-Variation 1 will ensure that there are no boundary issues regarding the divide between the MRZ-Variation 1 and GIZ.
4. In terms of s32 of the RMA, it is considered to be more efficient and effective, rather than relying on a non-complying resource consent process for the establishment of Medium Density, providing greater density to all parties.
5. MRZ-Variation 1 zoning is considered to be consistent with the intentions of the National Policy Statement on Urban Development (NPS-UD), in particular Objectives 1, 2, 3, 4, 8 and Policies 1 and 2, 3 (this is not a conclusive list).
6. MRZ-Variation 1 zoning will allow for additional housing to help alleviate the current New Zealand housing crisis.

Williams Waimak Limited
12 Williams Street, Kaiapoi
14044



09/09/22
Max Stevenson
Resource Management Planner, Inovo Projects Ltd



09/09/22
Peter McAuley
Director, Inovo Projects Ltd

Appendix A – Record of Titles



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **188573**
Land Registration District **Canterbury**
Date Issued 15 August 2005

Prior References

CB4C/292 CB725/16

Estate Fee Simple
Area 4.5150 hectares more or less
Legal Description Lot 1 Deposited Plan 345997
Registered Owners
Williams Waimak Limited

Interests

Appurtenant hereto is a right to convey electric power created by Easement Instrument 6506556.9 - Produced 25.7.2005 at 9:00 am and Entered 15.8.2005 at 9.00 am

The easements created by Easement Instrument 6506556.9 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way over part marked A on DP 345997 created by Easement Instrument 6506556.12 - Produced 25.7.2005 at 9:00 am and Entered 15.8.2005 at 9.00 am

The easements created by Easement Instrument 6506556.12 are subject to Section 243 (a) Resource Management Act 1991

11411643.2 Mortgage to Scout Association of New Zealand - 15.5.2019 at 12:53 pm

11764599.1 Mortgage to VFL Limited - 25.6.2020 at 3:04 pm





RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **CB18F/1455**
Land Registration District **Canterbury**
Date Issued 13 June 1978

Prior References
CB394/92

Estate Fee Simple
Area 2.3620 hectares more or less
Legal Description Lot 3 Deposited Plan 40787
Registered Owners
Williams Waimak Limited

Interests

180337.1 Transfer creating the following easements in gross - 9.6.1978 at 11.59 am

Type	Servient Tenement	Easement Area	Grantee	Statutory Restriction
Drain water	Lot 3 Deposited Plan 40787 - herein	Part herein	The Kaiapoi Borough Council	

The easement granted by Transfer 180337.1 is Subject to Section 351E(1)(a) Municipal Corporations Act 1954

738408.1 Transfer creating the following easements in gross - 29.4.1988 at 10.30 am

Type	Servient Tenement	Easement Area	Grantee	Statutory Restriction
Convey water	Lot 3 Deposited Plan 40787 - herein	Part herein	The Kaiapoi Borough Council	

11411643.2 Mortgage to Scout Association of New Zealand - 15.5.2019 at 12:53 pm

11764599.1 Mortgage to VFL Limited - 25.6.2020 at 3:04 pm

LBS FORM N 93